

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 931680550 US, in an envelope addressed to: MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 30, 2004

Signature: [Signature]

(Elizabeth A. Hanley, Esq.)

Docket No.: NCI-006DV1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Patent Application of:

Donald F. Weaver *et al.*

Application No.: 09/932677

Art Unit: 1624

Filed: August 16, 2001

Examiner: Deepak R. Rao

For: ANTI-EPILEPTOGENIC AGENTS

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER PURSUANT TO 37 C.F.R. §1.321(C)**

Dear Sir:

I, Elizabeth A. Hanley, Esq., Registration No. 33,505, as attorney of record in the above-identified patent application, hereby declare that the Queen's University at Kingston is the owner of the above-identified patent application, by assignments executed by WEAVER, Donald F., MILNE, Paul H., TAN, Christopher Y.K., all executed on May 21, 1998, recorded in the United States Patent Office on June 29, 1998 at Reel 9277, Frame 0685 and CARRAN, John R., executed on May 21, 1998, recorded in the United States Patent Office on June 29, 1998 at Reel 9277, Frame 0689.

Therefore, Assignee Queen's University at Kingston hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term of U.S. Patent 6,306,909 B1, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent 6,306,909 B1, this agreement to run with any patent granted on the above-identified application and to be binding upon

the grantor, its successors or assigns.

Assignee Queen's University at Kingston does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent 6,306,909 B1, in the event that it later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a); has all claims canceled by a reexamination certificate; is reissued; or is otherwise terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer; except for the separation of legal title stated above.

Signed at Boston, Massachusetts this 30th day of March, 2004,

Respectfully submitted,

By 

Elizabeth A. Hanley, Esq.

Registration No.: 33,503

LAHIVE & COCKFIELD, LLP

28 State Street

Boston, Massachusetts 02109

(617) 227-7400

(617) 742-4214 (Fax)

Attorney/Agent For Applicant